

UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

NETLIST, INC.,	)	
	)	
Plaintiff,	)	
	)	Case No. 2:22-cv-203-JRG
vs.	)	
	)	JURY TRIAL DEMANDED
MICRON TECHNOLOGY, INC.;	)	
MICRON SEMICONDUCTOR	)	
PRODUCTS, INC.; MICRON	)	
TECHNOLOGY TEXAS LLC,	)	
	)	
Defendants.	)	

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**DECLARATION OF JASON G. SHEASBY IN SUPPORT OF**  
**NETLIST INC.'S MOTION FOR SUMMARY JUDGMENT DISMISSING**  
**MICRON'S AFFIRMATIVE DEFENSE OF BREACH OF RAND**  
**OBLIGATION OR IN THE ALTERNATIVE FOR SEVERANCE**

**I, Jason G. Sheasby, declare as follows:**

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Plaintiff Netlist, Inc. (“Netlist”) in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist Inc.’s Motion for Summary Judgment Dismissing Micron’s Affirmative Defense of Breach of RAND Obligation or in the Alternative for Severance. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2. Attached as **Exhibit 1** is a true and correct copy of the JEDEC Manual, JM21U, dated December 2022.

3. Attached as **Exhibit 2** is a true and correct copy of a correspondence letter from Netlist to Micron, dated April 28, 2021 and bates numbered NL-MIC-203\_00030433 – NL-MIC-203\_00030436.

4. Attached as **Exhibit 3** is a true and correct excerpted copy of the deposition transcript of Chuck K. Hong, dated September 20, 2023.

5. Attached as **Exhibit 4** is a true and correct copy of a correspondence letter from Netlist to Micron dated April 1, 2022 and bates numbered NL-MIC-203\_00030438 - NL-MIC-203\_00030442.

6. Attached as **Exhibit 5** is a true and correct copy of a document titled “Ex. B to Netlist’s April 1, 2022 Correspondence to Micron” bates numbered NL-MIC-203\_00030447 – NL-MIC-203\_00030464.

7. Attached as **Exhibit 6** is a true and correct copy of a correspondence letter from Netlist to Micron dated August 23, 2023.

8. Attached as **Exhibit 7** is a true and correct excerpted copy of the Pretrial Conference Volume 1 transcript from *Netlist v. Samsung*, Case No. 2:21-cv-463-JRG, dated March

28, 2023.

9. Attached as **Exhibit 8** is a true and correct excerpted copy of the Expert Rebuttal Report of Matthew R. Lynde, dated October 30, 2023.

10. Attached as **Exhibit 9** is a true and correct copy of a document titled “Ex. A to Netlist’s April 1, 2022 Correspondence to Micron” bates numbered NL-MIC-203\_00030443 – NL-MIC-203\_00030446

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 14, 2023, in Los Angeles, California.

By /s/ Jason G. Sheasby  
Jason G. Sheasby